



Paper No. 7

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In re Application of: Kenton T. Davis et al.)
Application No. 09/863,791)
Filed: May 24, 2001)

DIRECTOR OFFICE
TECHNOLOGY CENTER 2100

For: ELEMENT MANAGEMENT)
SYSTEM FOR HETEROGENEOUS)
TELECOMMUNICATIONS)
NETWORK)

DECISION ON REQUEST FOR
WITHDRAWAL AS ATTORNEY

This is a decision on the Request To Withdraw from Representation filed January 14, 2002.

A grantable request to withdraw as attorney of record should indicate thereon the present mailing addresses of the attorney(s) who is/are withdrawing from the record and of the applicant. The request for withdrawal must be signed by every attorney seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a). The effective date of withdrawal being the date of decision and not the date of request. See M.P.E.P. § 402.06. 37 C.F.R. § 1.36 further requires that the applicant or patent owner be notified of the withdrawal of the attorney or agent.

There is no evidence of record that the signer of the petition, Clarence E. Polk, Jr., was appointed as an attorney or agent of record. Therefore, it is unnecessary for the petitioner to withdraw from representation. Accordingly, the request is **DENIED**.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant. Applicant is reminded of the obligation to promptly notify the Patent and Trademark Office (Office) of any change in correspondence address to ensure receipt of all communications from the Office.

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